

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



May 3, 2002

Mr. Taylor O. Miller, Esq.
Palomar Energy LLC
980 Ninth Street
Sacramento, CA 95814

Dear Mr. Miller:

PALOMAR ENERGY PROJECT (01-AFC-24) DATA REQUESTS

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission (Energy Commission) staff requests that Palomar Energy LLC supply the information specified in the enclosed data requests.

The subject areas addressed in the enclosed data requests are alternatives, cultural resources, noise, and soil and water resources. The information requested is necessary to understand the project, assess whether the project will result in significant environmental effects, and to assess project alternatives and mitigation measures. These requests begin with Data Request 118 in order to avoid confusion with previous requests.

Written responses to the enclosed data requests are due to the Energy Commission by June 3, 2002, or at a later date agreed upon by the Energy Commission staff and the applicant.

If you are unable to provide the information requested in the data requests, or object to providing it, you must contact the committee assigned to the project and the project manager, within 10 days of receiving these requests, stating your reason for delay or objection.

If you have any questions regarding the enclosed data requests, please call me at (916) 651-8835.

Sincerely,

Bob Eller
Siting Project Manager

Enclosure
cc: Agency Distribution List

Palomar Energy Project
Data Requests
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Technical Area: Alternatives

Author: Suzanne Phinney, Rebecca Morgenstern

BACKGROUND

In the AFC, the Applicant presents eight sites in addition to the proposed site to be considered as alternatives to the proposed PEP. Staff needs more information on four of those alternative sites in order for staff to evaluate a reasonable range of alternative sites. Those four sites are San Marcos, Sycamore Canyon, Rainbow and Talega. The map included in the AFC (Figure 3.2-1) is a transmission/substation schematic, so it is not possible to identify the actual suggested alternative site locations using this map.

DATA REQUEST

118. Please provide a detailed map (preferably on a topographic base or a map with major roads, highways and county lines) showing the proposed site location and the following four alternative sites from the AFC: San Marcos, Sycamore Canyon, Rainbow and Talega.
119. Please provide a description of the exact location of the San Marcos, Sycamore Canyon, Rainbow and Talega alternative sites, either by street address or cross streets.

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Technical Area: Cultural Resources

Author: Dorothy Torres and Richard Shepard

BACKGROUND

The response to Data Request Number 25 included the technical report prepared as a result of the built environment survey. The report notes that the age of the radio tower located in the vicinity of the power plant location has not yet been determined (page 17). If more than 45 years old, the radio tower could represent a potential historical resource, and as such, its setting could be impacted by the height of the proposed power plant structures and 110-foot-high Heat Recovery Steam Generator (HRSG) exhaust stacks. Additional information is needed for staff to complete the analysis.

DATA REQUEST

120. Please provide information demonstrating the age of the radio tower and whether the tower embodies unique or exceptional architectural or engineering attributes when compared with other radio or transmitting towers of its class or type in this region. This investigation should be completed by an architectural, industrial or public historian that meets the Secretary of the Interior's Standards.
121. If the radio tower is determined to be 45 years old or more, or appears exceptional, then please record the resource on appropriate DPR 523 forms and provide a copy of the record.
122. The radio tower could constitute an historical resource (45 or more years of age or appears exceptional) and could be impacted by the project or could have its immediate surroundings altered (change in the integrity of its setting) by this project in such a manner that the significance of the resource would be materially impaired. Please provide a discussion of the significance of the resource under CEQA Section 15064.5, (a), (3), (A)(B)(C) & (D) and provide staff with a copy of the assessment and the specialist's conclusions regarding significance. This investigation should be completed by an architectural, industrial or public historian that meets the Secretary of the Interior's standards for an architectural historian.

BACKGROUND

The confidential cultural resources technical report appended to the AFC indicated that 42 cultural resources have been previously recorded in the vicinity of the proposed Escondido Research and Technology Center (ERTC) project area. The response to Data Request Number 29 provided the relative distances of these resources (34 archaeological sites, 2 isolated artifacts, and 6 structural sites) from the planned

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location of the Palomar power plant and associated linear utility routes, access roads, and staging areas. According to the data provided in the response to Data Request Number 29, ten of these resources are situated within 200 feet of the power plant location and/or a linear utility route, access road, or staging area, with several located as near as 5 meters (16 feet). In addition to these ten resources, a potentially significant archaeological site is situated 75 meters (246 feet) from one of the linear routes that will involve trenching for a utility line. The data provided in the response to Data Request Number 29 indicates that none of the 11 resources just noted has been evaluated for archaeological or historical significance under CEQA/CRHR criteria. Additional information is needed for staff to complete the analysis.

DATA REQUEST

123. Please amend the table provided in the response to Data Request Number 29 to include the current status of the 42 previously recorded resources. The new data should address whether the resource still exists and, if so, its apparent condition.
124. Please provide a discussion of how the 11 resources (excluding 2310 Harmony Grove and 2530 Kauana Loa Way) noted above will either be protected from potential impacts caused by the power plant project or how such impacts might be mitigated to a level of less than significant.
125. If a resource is 45 years or more, or appears exceptional, then please record the resource on appropriate DPR 523 forms and provide a copy of the record.
126. If one of the 11 resources could be impacted by the project or could have its immediate surroundings altered (change in the integrity of its setting) in such a manner that the significance of the resource would be materially impaired, and it is impossible to avoid the resource, please provide a discussion of the significance of the resource under CEQA Section 15064.5, (a), (3), (A)(B)(C) & (D) and provide staff with a copy of the assessment and the specialist's conclusions regarding significance. This investigation should be completed by an archaeologist, architectural, industrial or public historian that meets the Secretary of the Interior's standards as appropriate to the type of resource being evaluated.

BACKGROUND

According to Data Request Number 32, the applicant was asked to provide copies of all DPR 523 records for the resources newly identified as a result of the cultural resources survey of the ERTC property. These resources include those designated by the applicant's consultant as S1, S2, S3, S4, S5, S11, and S12. The response to Data Request Number 32 included copies of the DPR 523 records for only resources S3 and S11. Whether or not a potential cultural resource retains integrity is not a part of the

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instructions concerning whether or not a cultural resource should be recorded pursuant to “Instructions for Recording Historical Resources” provided by the Office of Historic Preservation (OHP). Additional information is needed for staff to complete the analysis.

DATA REQUEST

127. Please provide copies of the DPR 523 records for newly identified resources S1, S2, S4, S5, and S12 for staff to review. The buildings at 2310 Harmony Grove and 2530 Kauana Loa Way may be omitted.

BACKGROUND

According to Data Request Number 39, the applicant was asked to provide copies of documentation regarding contact with Native Americans who were asked for their concerns about the project. The documentation provided as part of the response to Data Request Number 39 indicated that all of the Native Americans who were contacted expressed concern about a particular cultural resource in the vicinity of the project. Additional information is needed for staff to complete the analysis.

DATA REQUEST

128. Is contact with Native Americans in regard to their concerns about the project ongoing? If so, please provide copies of any written or verbal communication that has occurred since those indicated in the response to Data Request Number 39.

BACKGROUND

Previous Data Request Number 34 asked for copies of local lists of important cultural or historic resources designated by the City of Escondido or San Diego County ordinance. The applicant’s response to Data Request Number 36 identified two ordinances that suggest that the City of Escondido maintains a list. Sec. 33-795 is entitled “Procedure and criteria for local register listing or local landmark designation. Sec 33-796 is entitled “Historic Districts” and Sec. 33-Procedure and findings for designating an historical district.

DATA REQUEST

129. Please provide a copy of the lists of historical resources for the City of Escondido and a copy of the list of historical resources maintained by San Diego County (City of Escondido area only).

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Technical Area: Noise
Author: Jim Buntin

BACKGROUND

There is a house on the hilltop southeast of the project site indicated by AFC Figure 5.9-1, adjacent to the southeast site boundary. It is potentially the receptor most affected by the project, but it has not been addressed in the AFC.

DATA REQUEST

130. Please describe the eventual disposition of the residence located adjacent to the project site on the hilltop southeast of the project. That is, will this house remain after the business park is developed, or will it be removed?
131. If the subject house is expected to remain as a residence, please provide a description of ambient noise levels and the predicted project noise levels there.

BACKGROUND

Some of the mobile homes at R3 will have a clear line of sight to the hilltop at the project site. It is not clear whether those receptors will have a clear line of sight to the project. The AFC assumes an insertion loss of 10 dBA at the mobile home park, due to shielding. A more detailed analysis appears warranted for those receptors that may have a line of sight to the project site.

DATA REQUEST

132. Please provide an acoustical analysis detailing the expected plant noise exposures at the mobile homes that currently have a line of sight to the project site. Account for the site topography and the final site grading plan, as well as the heights of the dominant noise sources.

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Technical Area: Soil and Water Resources

Author: Richard Latteri

BACKGROUND

Data Response 60 refers to a 1987 US Geological Survey report Geohydrology of the Escondido Hydrologic Subarea, San Diego County, California as the latest information publicly available relating to the Palomar Energy Project (PEP) site.

DATA REQUEST

133. Please provide a copy of the 1987 US Geological Survey report Geohydrology of the Escondido Hydrologic Subarea, San Diego County, California.

BACKGROUND

The estimated average annual reclaimed water use shown in Table 2.4-2 is 3.5 million gallons per day. This estimate is based on 16 hours of peak load operation per day during the four summer months and base load operation during all other hours (with the exception of a 14 day maintenance outage).

DATA REQUEST

134. Please show the calculations used to derive the annual average water consumption shown in Table 2.4-2.
135. Please provide the current water demand and supply projections for the City of Escondido's tertiary treated and secondary treated reclaimed water program. Please discuss the impact on PEP operations based on the City of Escondido's reclaimed water supply and demand projections for the life of the project.